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REPORT
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DESIGNATING THE WILDERNESS IN THE POINT REYES NATIONAL SEASHORE IN CALIFORNIA AS THE PHILLIP BURTON WILDERNESS

JUNE 27 (legislative day, JUNE 26), 1985.—Ordered to be printed

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Mr. MCCLURE, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 1373]

The Committee on Energy and Natural Resources, to which was referred the act (H.R. 1373) to designate the wilderness in the Point Reyes National Seashore in California as the Phillip Burton Wilderness, having considered the same, reports favorably thereon without amendment and recommends that the act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 1373 is to recognize the contributions of the late Congressman Phillip Burton in protecting and preserving the Nation's natural resources by renaming the wilderness in the Point Reyes National Seashore as the Phillip Burton Wilderness.

BACKGROUND AND NEED

Congressman Phillip Burton served in the House of Representatives from 1964 until his death in 1983. He was a member of the Committee on Interior and Insular Affairs and was Chairman of the National Parks and Insular Affairs Subcommittee in the 95th and the 96th Congresses. During his service he was instrumental in enacting legislation to designate 25,370 acres of wilderness in the Point Reyes National Seashore.

Until his death, Congressman Burton played a major role in the development of the California Wilderness Act of 1984 and helped more than double the wilderness acreage in the National Park System. In recognition of his leadership on park and wilderness

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issues and his long association with Point Reyes, the bill would rename the wilderness area within the seashore after the late Congressman.

Legislative History

H.R. 1373 passed the House of Representatives on April 2, 1985. A similar bill, S. 543 was introduced in the Senate on February 28, 1985. The Subcommittee on Public Lands, Reserved Water and Resource Conservation held a hearing on S. 543 and H.R. 1373 on April 29, 1985. The Administration opposes enactment of H.R. 1373. In an open business session on June 19, 1985, the Senate Committee on Energy and Natural Resources ordered H.R. 1373 favorably reported.

Committee Recommended and Tabulation of Votes

The Senate Committee on Energy and Natural Resources in open business session on June 19, 1985, by unanimous voice vote of a quorum present recommends that the Senate pass H.R. 1373 without amendment.

Section-by-Section Analysis

Section 1(a) of H.R. 1373 renames the designated wilderness within Point Reyes National Sashore the "Phillip Burton Wilderness".

Section 1(b) requires the Secretary of the Interior to identify the area as the Phillip Burton Wilderness by changing existing signs, maps, markers, interpretive materials and programs.

Section 1(c) specifies that no other management rules or regulations, other than the name of the wilderness at Point Reyes National Seashore will be affected by this Act.

Section 1(d) authorizes such sums as may be necessary to carry out provisions of the Act.

Cost and Budgetary Considerations

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, June 21, 1985.

Hon. James A. McClure,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has reviewed H.R. 1373, an act to designate the wilderness in the Point Reyes National Seashore in California as the Phillip Burton Wilderness, as ordered reported by the Senate Committee on Energy and National Resources, June 19, 1985.

We expect that no significant cost to federal, state or local governments would be incurred as a result of this bill's enactment.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,
Sincerely,

RUDOLPH G. PENNER.

REGULATORY IMPACT EVALUATION

This bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses. The measure specifies that the designation of the wilderness area in the Point Reyes National Seashore as the "Phillip Burton Wilderness" shall not affect the management of any area within the seashore. All references to the wilderness, however, which appear in any rule, regulation, provision of law or other official document, will be deemed to be references to the Phillip Burton Wilderness Area.

No personal information would be collected in administering the provisions of H.R. 1373. Therefore, there would be no impact on personal privacy.

Little additional paperwork would result from the enactment of H.R. 1373.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of the Interior setting forth Executive agency recommendations relating to H.R. 1373 is set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington DC, May 17, 1985.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, D.C. 20510

DEAR MR. CHAIRMAN: This responds to your request for our views on H.R. 1373, an act "To designate the wilderness in the Point Reyes National Seashore in California as the Phillip Burton Wilderness."

We recommend that this legislation, which would rename 25,370 acres of the Point Reyes National Seashore, not be enacted.

The naming of units of the National Park System, or parts thereof, for former members of Congress would be contrary to the policy that Congress has followed since the first national park was established in 1872, and it would be contrary to the policy expressed by the Committees on Interior and Insular Affairs when the Point Reyes Wilderness was designated in 1976. Further, the Congress in 1983 dedicated the Golden Gate National Recreation Area to Congressman Phillip Burton "in recognition of his leadership in establishing the Golden Gate National Recreation Area, his outstanding contributions to the National Park System, the Wilderness Preservation System, and to the protection and preservation of our great natural and cultural resources for the benefit of the people of the United States for all time." (P.L. 98-28)

Congressional policy with respect to the naming of parks for members of Congress or other contemporary individuals has been either to name a visitor center after the individual, such as was

done for Representative Clem Miller at Point Reyes National Seashore, or to dedicate the area to the memory of the individual, such as was done for Representative Phillip Burton at Golden Gate National Recreation Area and for Representative Gladys Noon Spellman at the Baltimore-Washington Parkway. In no instance has the Congress renamed a park or a unit of a park after a former member of Congress.

We have understood the policy of the Congress to be that which characterized the Committees' action on the Point Reyes wilderness legislation in the 94th Congress. H.R. 8002 would have designated three wilderness units in Point Reyes National Seashore, one to be named the "Point Reyes Clem Miller Wilderness." The House Committee on Interior and Insular Affairs reported a substitute. The substitute directed the Secretary to designate the principal environmental education center within the seashore as the "Clem Miller Environmental Education Center," to commemorate the vision and leadership of the late Congressman in the establishment of the seashore. The Committee report (number 94-1680, dated September 24, 1976, at page 4) stated as follows:

"The Committee felt this would be a most suitable approach for recognizing the contributions of this individual, and would be consistent with both the Committee's and the National Park Service's policies with regard to the application of names of persons to and within units of the National Park System."

The Senate Committee on Interior and Insular Affairs also adopted language directing the Secretary to designate the Clem Miller Environmental Education Center in its report of September 29, 1976, on H.R. 13160, a bill designating wilderness in several national park areas. The Senate Committee amended the bill to add the Point Reyes Wilderness and require the designation of the visitor center. The Senate Committee, in its report (number 94-1357, at page 7), stated:

". . . a new section is included which honors the late Clem Miller, who was instrumental in achieving the establshment of Point Reyes as a national seashore, by designating the principal environmental education center within the seashore as the Clem Miller Environmental Education Center'."

Enacted into law in the 94th Congress, this legislation designated wilderness "to be known as the Point Reyes Wilderness" at Point Reyes, and provided for the Clem Miller Environmental Education Center.

Therefore, we urge the Committee to adhere to earlier precedents and not establish the precedent embodied in H.R. 1373. Representative Phillip Burton's contributions to the National Wilderness Preservation System and the National Park System have already been recognized in Public Law 98-28, cited above. Pursuant to that law, there will be a memorial to Mr. Burton maintained within Golden Gate National Recreation Area. We believe Public Law 98-28 is the appropriate way of commemorating his work on behalf of conservation.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

J. CRAIG POTTER.
Acting Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill, H.R. 1373, as reported.

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